

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA §  
VS. §  
RUBEN MARTINEZ-ESCALERA; aka §  
ANGEL MARTINEZ; aka GABRIEL MARTINEZ §

**ORDER**

BE IT REMEMBERED on this 20<sup>th</sup> day of November, 2008, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed August 22, 2008, wherein the defendant Ruben Martinez-Escalera waived appearance before this Court and appeared before the United States Magistrate Judge Felix Recio for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The magistrate judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Ruben Martinez-Escalera to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge be and is hereby adopted. The Court finds the Defendant Ruben Martinez-Escalera guilty of the offense of alien unlawfully found in the United States after deportation, having been convicted of an aggravated felony, in violation of 8 U.S.C. § 1326(a) and (b).

Signed this 20<sup>th</sup> day of November, 2008.



Andrew S. Hanen  
United States District Judge